

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

JAMES ROBERT DAVIS,)	Civil Action No. 8:16-cv-1490-JDA
)	
Plaintiff,)	
)	
v.)	ORDER
)	
CAROLYN W. COLVIN,)	
Acting Commissioner)	
of Social Security,)	
)	
Defendant.)	

The Defendant, Carolyn W. Colvin, Commissioner of Social Security, has moved this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings.

Upon remand, the Appeals Council will direct the ALJ to further consider whether Plaintiff's impairments, singly or in combination, meet or medically equal Listing 4.02 (chronic heart failure), will reevaluate Plaintiff's residual functional capacity, and will consider obtaining medical expert evidence in evaluating the severity and limiting effects of Plaintiff's impairments. The ALJ will be further directed to take any appropriate action necessary to complete the administrative record and issue a new decision.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby.

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

AND IT IS SO ORDERED.

s/Jacquelyn D. Austin

JACQUELYN D. AUSTIN
United States Magistrate Judge

December 16, 2016
Greenville, South Carolina

¹The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.